

Undersigned:

Alfred Robert Gerebizza  
113 Hidden Hollow Drive  
Palm Beach Gardens, Florida Republic

*Part*

**NOTICE TO AGENT IS NOTICE TO PRINCIPAL--- NOTICE TO PRINCIPAL IS NOTICE TO AGENT**

## **NOTICE**

### **NOTICE OF TENDER OF FULL PAYMENT** **TO SETOFF**

**ALL CHARGES IN Case No. 1:10-cr-00651-2**  
**IN THE UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**  
**ON BEHALF OF DEFENDANT ALFRED GEREBIZZA**

**FILED**

OCT 02 2012 *aw*

THOMAS G BRUTON  
CLERK, U.S. DISTRICT COURT

Date: September 28, 2012

To: CLERK OF COURT (Case No. 1:10-cr-00651-2)  
c/o UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION  
219 South Dearborn Street  
Chicago, Illinois 60604

Re: Discharge of all charging accounts in Case No. 1:10-cr-00651-2 for Defendant  
ALFRED GEREBIZZA.

Notice of full tender for payment of all charges in Case No. 1:10-cr-00651 on behalf  
of Defendant ALFRED GEREBIZZA to the UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION by way of a DRAFT /  
MONEY ORDER via service to:

CLERK OF COURT, Case No. 1:10-cr-00651-2  
c/o UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION  
219 South Dearborn Street  
Chicago, Illinois 60604

Dear Sir:

You are hereby given legal Notice of Tender of full payment by the  
Accommodation Party for ALFRED GEREBIZZA of Sixteen Million United States

Case: 1:10-cr-00651 Document #: 178 Filed: 10/02/12 Page 2 of 7 PageID #:814  
Dollars and no cents (\$16,000,000.00) due and owing on a Criminal Charging instrument in Case No. 1:10-cr-00651-2, in the UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION or any succeeding counts or derivatives thereof, in Case No. 1:10-cr-00651-2 for Defendant ALFRED GEREBIZZA for setoff and settlement of all outstanding debt against ALFRED GEREBIZZA including any JUDGMENT of guilty, any plea of guilty, any finding of guilty, and any derivatives or proceeds thereof.

The above tender in full is enclosed herewith and incorporated herein with this NOTICE as a DRAFT / MONEY ORDER (DRAFT / MONEY ORDER No. 20120208AG) in the amount of \$16,000,000.00 United States Dollars. This DRAFT / MONEY ORDER is drawn by the private Accommodation Party, Alfred Robert Gerebizza. The beneficiary is "CLERK OF COURT, UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION, or to any Heirs, Assigns, Executors, Administrators, Servicers, or Beneficiaries thereof for tender of payment for the setoff of the Charging Instrument or any entry of Guilty in Case No. 1:10-cr-00651-2 in the above Court" as a trustee or fiduciary for the UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION. The Drawee is Alfred Robert Gerebizza through the agency of the SECRETARY OF THE TREASURY, DEPARTMENT OF THE TREASURY, 1500 PENNSYLVANIA AVENUE, WASHINGTON, D.C. 20220, Account No. 332502010, Secured Party Creditor. Said DRAFT / MONEY ORDER is also timely indorsed by Alfred Robert Gerebizza on the back of said DRAFT / MONEY ORDER for cashing. Only a "CERTIFICATE OF DISHONOR" in writing from the Drawee on the Instrument specific to this account can be deemed a proper notice that this Instrument is not valid as tendered.

The Undersigned hereby requests forthwith that the above named CLERK OF COURT:

1. Immediately Issue a receipt for the payment of \$16,000,000.00 in full on the Account for the charges in Case No. 1:10-cr-00651-2 to the Defendant ALFRED GEREBIZZA.
2. Notice the UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION in writing via Madeline Sullivan Murphy, c/o United States Attorney's Office (NDIL), at 219 South Dearborn Street, Suite 500, Chicago, Illinois 60604, or any Heirs, Assigns, or Successors thereto of the tender and payment in full for discharge of the charges in Case No. 1:10-cr-00651-2 as to ALFRED GEREBIZZA.
3. Terminate any levies, liens, detainers or distraints on any property or collateral of the Defendant ALFRED GEREBIZZA including ALFRED GEREBIZZA in the above described Case No. 1:10-cr-00651-2.
4. Terminate and cease and desist any further activity in Case No. 1:10-cr-00651-2 on behalf of the Defendant ALFRED GEREBIZZA to hold the Defendant ALFRED GEREBIZZA non liable for public performance.

All of the above requests are given by NOTICE so that neither the UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION, this Court, the CLERK OF COURT, nor any Attorneys, Agents, Assigns, Beneficiaries,

Case: 1:10-cr-00651 Document #: 178 Filed: 10/02/12 Page 3 of 7 PageID #:815  
or Heirs as agents and Attorneys for Trustees on the account represented behind  
Case No. 1:10-cr-00651-2 breach their legal and commercial duties as agents for the  
Parties in the Charges therein and commit a Breach of Fiduciary Duty with regard to  
the Instrument as set forth in UCC 3-307 by allowing any party to take the  
instrument in an improper manner and become personally liable for tortious  
interference thereon as it regards the remedies of the Defendant ALFRED  
GEREBIZZA as an aggrieved party, or the remedies of the Accommodation Party,  
Alfred Robert Gerebizza, as one whose contracts are being interfered with.

In Witness Whereof, I have hereunto set my hand and seal.

  
Authorized Representative

Enclosure: Original DRAFT / MONEY ORDER sent to CLERK OF COURT (Case No.  
1:10-cr-00651-2)

cc:

Madeline Sullivan Murphy  
c/o United States Attorney's Office (NDIL)  
219 South Dearborn Street, Suite 500  
Chicago, Illinois 60604

SECRETARY OF THE TREASURY  
DEPARTMENT OF THE TREASURY  
1500 PENNSYLVANIA AVENUE  
WASHINGTON, D.C. 20220

# **EXHIBIT A**

**DRAFT / MONEY ORDER**

20120208AG

*Date: September 28, 2012*

**Drawer:** **ALFRED GEREBIZZA**  
113 Hidden Hollow Drive  
Palm Beach Gardens, Florida Republic

**PAY TO THE ORDER OF:**  
CLERK OF COURT, UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF  
ILLINOIS EASTERN DIVISION, or to any Heirs, Assigns, Executors, Administrators,  
Servicers, or Beneficiaries thereof for tender of payment for the setoff of the Charging  
Instrument or any entry of Guilty in Case No. 1:10-cr-00651-2 in the above Court.

\$ **16,000,000.00**

**Sixteen-Million Dollars and no cents**

**FOR:** Discharge of all criminal charges, principal, interest, costs, taxes, fees, underlying  
obligations and all charging instruments in Case No. 1:10-cr-00651-2 against  
Defendant ALFRED GEREBIZZA in the UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION. Including, but not limited  
to, any finding or entry of GUILTY therein of Case No. 1:10-cr-00651-2.

*Alfred Gerebizza*  
Authorized

**Representative**

**Drawee Account:** Alfred Robert Gerebizza  
**Account Number:** 332502010

**AGENT FOR DRAWEE'S ACCOUNT:** SECRETARY OF THE TREASURY  
DEPARTMENT OF THE TREASURY  
1500 PENNSYLVANIA AVENUE  
WASHINGTON, D.C. 20220

**AFFIDAVIT OF SERVICE**



Maricopa county                                 )  
Arizona Republic                                ) affirmed and subscribed  
United States of America                     )

It is hereby certified, that on the date noted below, the undersigned mailed to:

CLERK OF COURT (Case No. 1:10-cr-00651-2)  
c/o UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION  
219 South Dearborn Street  
Chicago, Illinois 60604

**cc:**

Madeline Sullivan Murphy  
c/o United States Attorney's Office (NDIL)  
219 South Dearborn Street, Suite 500  
Chicago, Illinois 60604

SECRETARY OF THE TREASURY  
DEPARTMENT OF THE TREASURY  
1500 PENNSYLVANIA AVENUE  
WASHINGTON, D.C. 20220

here-in-after "Recipient's", the documents and sundry papers pertaining to a certain Notice of full tender for payment of all charges in Case No. 1:10-cr-00651-2 on behalf of Defendant ALFRED GEREBIZZA to the UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION by way of a DRAFT / MONEY ORDER via service to: CLERK OF COURT (Case No. 1:10-cr-00651-2) UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION, c/o 219 South Dearborn Street, Chicago, Illinois 60604 as follows:

1. **NOTICE: NOTICE OF TENDER OF FULL PAYMENT TO SETOFF ALL CHARGES IN CASE No. 1:10-cr-00651-2 IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION ON BEHALF OF DEFENDANT ALFRED GEREBIZZA** dated September 28, 2012 (3 leaves);
2. **EXHIBIT A** (2 leaves), and;
3. Reference copy of this **AFFIDAVIT OF SERVICE** dated September 28, 2012 (2 leaves).

These mailings contained a total of seven (7) leaves each. They were sent via the United States Postal Service under the control, direction, and instruction of the USPS "Certificate of Mailing" (PS Form 3877) referenced above. The aforesaid mailings were placed in postpaid envelopes properly addressed to the Recipients. They were deposited at an official depository under the exclusive care and custody of the United States Postal Service within the State of Arizona

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on September 28, 2012

\_\_\_\_\_[seal]  
AFFIANT

**Benton Hall, Presenter  
c/o 3546 East Presidio Circle  
Mesa, Arizona Republic**

**WITNESS OF OATH**

Maricopa County )  
Arizona Republic ) affirmed and subscribed  
United States of America )

Subscribed and affirmed to (or sworn) before me on this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_, by Benton Hall, personally known to me.

(seal)

\_\_\_\_\_  
Shannon Hall  
1635 North Greenfield Road, Suite 126  
Mesa, Arizona Republic

**WITNESS OF OATH**

Maricopa County )  
Arizona Republic ) affirmed and subscribed  
United States of America )

Subscribed and affirmed to (or sworn) before me on this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_, by Benton Hall, personally known to me.

(seal)

\_\_\_\_\_  
Erin Gingrich  
1635 North Greenfield Road, Suite 126  
Mesa, Arizona Republic